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Attorneys for Plaintiffs

[Additional counsel listed on signature page]

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

BIKASH MOHAN MOHANTY, On Behalf of )  
Himself and All Others Similarly Situated, )  
Plaintiff, )

vs. )

BIGBAND NETWORKS, INC., AMIR )  
BASSAN-ESKENAZI, RAN OZ, FREDERICK )  
BALL, GAL ISRAELY, DEAN GILBERT, )  
KEN GOLDMAN, LLOYD CARNEY, BRUCE )  
SACHS, ROBERT SACHS, GEOFFREY )  
YANG, MORGAN STANLEY & CO., INC., )  
MERRILL LYNCH, PIERCE, FENNER & )  
SMITH, INC., JEFFERIES & CO., INC., )  
COWEN AND CO., INC., AND )  
THINKEQUITY PARTNERS, LLC )

Defendants. )

Case No. 3:07-CV-05101-SBA

CLASS ACTION

DECLARATION OF REED R.  
KATHREIN IN SUPPORT OF GWYN  
JONES' OPPOSITION TO THE  
MOTION OF THE SPHERA FUND TO  
APPOINT LEAD PLAINTIFF

DATE: February 5, 2008  
TIME: 1:00 P.M.  
DEPT: Courtroom 3, 3rd Floor

DENNIS KOESTERER, On Behalf of Himself and  
All Others Similarly Situated,

Plaintiff,

v.

BIGBAND NETWORKS, INC., AMIR BASSAN-  
ESKENAZI, FREDERICK A. BALL, RAN OZ,  
LLOYD CARNEY, DEAN GILBERT, KEN  
GOLDMAN, GAL ISRAELY, BRUCH SACHS,  
ROBERT SACHS, and GEOFFREY YANG

Defendants.

Case No. 3:07-CV-05168-MMC

ABRENA WINSTON, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

BIGBAND NETWORKS, INC., AMIR  
BASSAN-ESKENAZI, RAN OZ, FREDERICK  
BALL, GAL ISRAELY, DEAN GILBERT, KEN  
GOLDMAN, LLOYD CARNEY, BRUCE  
SACHS, ROBERT SACHS, GEOFFREY  
YANG, MERRILL LYNCH, PIERCE, FENNER  
& SMITH, INC., MORGAN STANLEY & CO.,  
INC., COWEN AND CO., JEFFERIES & CO.,  
and THINKEQUITY PARTNERS, LLC

Defendants.

Case No. 3:07-CV-05327-JSW

DONALD SMITH, On Behalf of Himself and All  
Others Similarly Situated,

Plaintiff,

v.

BIGBAND NETWORKS, INC., AMIR  
BASSAN-ESKENAZI, and FREDERICK A.  
BALL

Defendants.

Case No. 3:07-CV-05361-SI

1 WAYNE LUZON, On Behalf of Himself and All  
Others Similarly Situated,

2  
3 Plaintiff,

4 v.

5 BIGBAND NETWORKS, INC., AMIR BASSAN-  
ESKENAZI, RAN OZ, FREDERICK BALL, GAL  
6 ISRAELY, DEAN GILBERT, KEN GOLDMAN,  
LLOYD CARNEY, BRUCE SACHS, ROBERT  
7 SACHS, GEOFFREY YANG, MORGAN  
STANLEY & CO., INC., MERRILL LYNCH,  
8 PIERCE, FENNER & SMITH, INC., JEFFERIES &  
CO., INC., COWEN AND CO., INC., and  
THINKEQUITY PARTNERS, LLC

9 Defendants.

Case No. 3:07-CV-05637-WHA

10 DEBRA L. BERNSTEIN, Individually and On  
11 Behalf of All Others Similarly Situated,

12 Plaintiff,

13 v.

14 BIGBAND NETWORKS, INC., AMIR BASSAN-  
ESKENAZI, RAN OZ, FREDERICK A. BALL,  
15 GAL ISRAELY, DEAN GILBERT, KENNETH A.  
GOLDMAN, LLOYD CARNEY, BRUCE I.  
16 SACHS, ROBERT J. SACHS, GEOFFREY Y.  
YANG, MORGAN STANLEY & CO.,  
17 INCORPORATED, JEFFERIES & COMPANY,  
INC., MERRILL LYNCH, PIERCE FENNER &  
18 SMITH INCORPORATED, COWEN AND  
COMPANY, LLC and THINKEQUITY  
19 PARTNERS LLC,

20 Defendants.

Case No. 3:07-CV-05825-MHP

21 EUGENE HAMMER, On Behalf of Himself and  
22 All Others Similarly Situated,

23 Plaintiff,

24 v.

25 BIGBAND NETWORKS, INC., AMIR BASSAN-  
ESKENAZI, FREDERICK A. BALL, RAN OZ,  
26 LLOYD CARNEY, DEAN GILBERT, KEN  
GOLDMAN, GAL ISRAELY, BRUCE SACHS,  
27 ROBERT SACHS, and GEOFFREY YANG

28 Defendants.

Case No. 3:07-CV-05825-MHP

1 I, REED R. KATHREIN declare as follows:

2 1. I am a member in good standing of the state bar of California. I am an attorney at  
3 Hagens Berman Sobol Shapiro LLP, proposed lead counsel for Movant Gwyn Jones. I submit this  
4 declaration in support of Gwyn Jones' Opposition to the Motion of the Sphera Fund to Appoint Lead  
5 Plaintiff.

6 2. Attached as exhibits are true and correct copies of the following:

7 Exhibit A: A true and correct copy of the "About Us" page from the Sphera Fund's  
8 website (<https://www.spherafund.com/english/about.aspx>).

9 Exhibit B: A true and correct copy of a Financial News Online US article entitled "Shore  
10 Launches Second Israeli Hedge Fund."

11 Exhibit C: A true and correct copy of Shrem Fudim Kelner & Co., Ltd's profile obtained  
12 from <http://duns100.dundb.co.il/2007/600241756/index.asp>.

13 I declare, under penalty of perjury of the laws of the United States, that the foregoing is true  
14 and correct to the best of my knowledge.

15 Executed this 15th day of January, 2008.

16 /s/ Reed R. Kathrein

17 REED R. KATHREIN  
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**DECLARATION OF SERVICE**

I hereby certify that on January 15, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses registered, as denoted on the attached **Electronic Mail Notice List**, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached **Manual Notice List**.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 15th day of January 2008, at Berkeley, California.

\_\_\_\_\_  
/s/ Reed R. Kathrein  
REED R. KATHREIN

## Mailing Information for a Case 4:07-cv-05101-SBA

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Michael M. Goldberg**  
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- **Lewis Stephen Kahn**  
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- **Reed R. Kathrein**  
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- **Alan Roth Plutzik**  
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- **Michael Carl Tu**  
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### Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

**James P. Cusick**  
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